



MARICOPA COUNTY JUSTICE COURT

If you want to file a...

MOTION TO SET ASIDE A DEFAULT Civil Traffic



MARICOPA COUNTY JUSTICE COURT

If the court has imposed a default judgment against you in a civil traffic case and if you believe you have a defense of your failure to appear or failure to comply, you may file a **MOTION TO SET ASIDE DEFAULT JUDGMENT**.

Now is not the time to explain your allegations or defenses of your civil traffic violation, **you should only address why the default judgment should be vacated**. If the judge grants your motion to set aside the default, then you will be given opportunity to address the original civil traffic violation. You may admit responsibility with an explanation or you may deny responsibility and request a hearing.

Please STOP...

If there has not yet been a default judgment entered.

Please PROCEED...

If you want to court to vacate the judgment rendered.

FORMS Needed:

Motion to Set Aside Default Judgment

INSTRUCTIONS:

- 1) Complete the form and make copies. The court will require the original form. You may wish to have a copy and you will need a copy for the other party.
- 2) File the form with the court clerk.
- 3) Mail a copy to the other party by regular first class mail.

IT IS IMPORTANT THAT ALL PARTIES KEEP THE COURT APPRISED OF ANY CHANGE IN ADDRESS A NOTICE OF CHANGE OF ADDRESS form must be filed with the court when a party changes their address.

Visit us at www.superiorcourt.maricopa.gov/justicecourts for additional filing information and online forms.



Maricopa County Justice Courts, Arizona

CASE NUMBER: _____

STATE OF ARIZONA

vs.

Defendant

MOTION TO SET ASIDE DEFAULT JUDGMENT

Defendant asks the court to set aside the default judgment entered herein. I did not appear in court because:

At this time I intend to:

- ☐ Plea RESPONSIBLE / NO CONTEST with an explanation (see explanation).
- ☐ Plea NOT RESPONSIBLE and request a hearing.
- ☐ Show proof of INSURANCE / REGISTRATION / DRIVER'S LICENSE.

Date: _____
Defendant

ORDER

The Court, having considered the above motion, enters its ORDER as follows:

- ☐ The motion is denied. The judgment stands as entered.
- ☐ Good cause appearing, the motion is granted. The judgment is set aside. The civil penalty and any fee imposed is also set aside.
- ☐ A hearing on the motion is scheduled for Date: _____ Time: _____
- ☐ IT IS FURTHER ORDERED

Date: _____
Justice of the Peace

I CERTIFY that I delivered / mailed a copy of this **ORDER** to:

- ☐ Deputy County Attorney
- ☐ Defendant at the above address or
- ☐ Defendant's attorney

Date: _____ By _____
Clerk